

Evelyn Goldberg Estate  
PO Box 34  
New York, NY 10002  
Tel. 718 277 1367  
email: [deanloren@gmail.com](mailto:deanloren@gmail.com)  
Dean Loren, Executor  
Trust & Estate Victim of Bernard,  
Peter and Emily Madoff

Hearing Date: January 31, 2018  
Hearing Time: 10:00 AM  
Objection Due: January 24, 2018  
Objection Time: 4:00 PM

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant

In re:

BERNARD L. MADOFF,

Debtor

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

OBJECTION BY MADOFF VICTIM  
AND JUDICIAL NOTICE OF  
MADOFF 1993 PROBATE THEFTS  
KNOWN TO IRVING PICARD,  
SDNY US ATTORNEY RUDY GIULIANI  
NY DISTRICT ATTORNEY MORGANTHAL  
NY AG ROBERT ABRAMS/KOEPPPEL

VICTIM'S OBJECTION TO TRUSTTEE, SDNY US ATTORNEY, AND NEW YORK DISTRICT  
ATTORNEY DENIAL OF PROBATE COURT VICTIM CLAIMS AND CALL FOR FULL  
INVESTIGATION OF PROBATE JUDGES ROBBING TRUSTS AND ESTATES IN NEW YORK

Dean Loren, Executor ("Loren") of the Evelyn Goldberg Estate OBJECTS and gives  
JUDICIAL NOTICE to Judge Stuart M. Bernstein that Irving Picard was given direct  
knowledge on July 20, 2012 by Loren that Bernie, Peter and Emily Madoff committed  
crimes and robbed Trusts and Estates in 1993. See [Madoff1993.com](http://Madoff1993.com) for many documents.

Loren gives additional JUDICIAL NOTICE that SDNY US Attorney Rudy Giuliani, NY  
District Attorney Morgenthal, and NY AG Robert Abrams and Koeppel had direct  
knowledge by Evelyn Goldberg (now deceased) that Bernie, Peter and Emily Madoff  
committed crimes in Probate Courts beginning in 1985 and fully exposed in 1993 with the  
Wolf Popper Emily Madoff 1993 Probate Memo exposing Manhattan Surrogate Judge Renee  
Roth as a Madoff Accomplice in robbing trusts and estates. See Madoff 1993 Memo Exh A.

Loren has standing as Evelyn Goldberg Estate Executor for the 1985 Income Trust Beneficiary of the Simon Goldberg Estate and Trust, the original Madoff target victim by Bernie, Peter and Emily Madoff.

Evelyn Goldberg died November 11, 2008. SIPC closed its window for filing on July 2, 2009. Preliminary Letters Testamentary issued to Loren on July 01, 2010. The Dept of Justice Madoff Victim Fund window closed on April 30, 2014. Manhattan Surrogate Mella on November 2015 placed over 200 Estate Filing Documents on the official Docket that evidenced the fraud including the fraudulent Death Certificates and Transcripts that spoke to the cover-up by Emily Madoff and John Fisher with Judith Siegelbaum and Karin J. Barkhorn when Evelyn was not present.

Bernie, Peter and Emily Madoff used US Treasury Notes and the Nuveen Account to lauder the stolen monies from Trusts and Estates.

Loren further gives JUDICIAL NOTICE of UNDISCLOSED MADOFF ASSETS invested in real properties built and leased at 500 Pearl Street, adjoining underground parking lot, 26 Federal Plaza, 67 Cadman Plaza East and 200 Additional Privately Owned Buildings leased to the Government Services Administration to be used for US Federal Courts and Prosecutorial/Police Power Agencies.

On September 26, 2016 and December 17, 2016, Loren re-filed 1985 Madoff Crime Claims to IRS Commissioner John Koskinen that resulted in Assigned Probate Judge Rita Mella to docket over 200 documents in the Simon Goldberg Estate that evidenced the Madoff 1993 Fraud in Manhattan Surrogate Court Probate File 3169-1985. See IRS October 17, 2016 Letter and Loren Letter Dec 17, 2016 as Exh B.

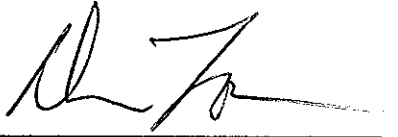
Loren additional states hardship by the criminal acts of Lisa Barbieri, NY AG Charities Division and Andrew M. Cuomo Governor as former NY State AG in the cover-up of teh June 8, 1993 Retaliatory Guardian ad Litem Wolf Popper's Emily Madoff, John Fisher and Judge Renee Roth in an illegal order without a notice or hearing upon learning that Evelyn Goldberg had filed in May 1993, the Madoff 1993 Memo with the Justice Department, Judicial Conduct Committee, the IRS and the Disciplinary Committee.

Loren further states hardship by the criminal acts of US Attorney Preet Bharara and AUSA Lisa Barone as the inside fixer in the prosecution cases of Bernie and Peter Madoff with Frank Wohl of Wohl Defense Team (Lisa Barone's Former Boss) and attorney for the feeder fund with Strook Strook & Levan and Paul Weiss Law firm for Sheldon Silver who is one of the silent owners of the Undisclosed MADOFF ASSETS in real estate above.

Loren as Executor on behalf of the Evelyn Goldberg Estate files a modified SIPC Claim Form and Modified DOJ Madoff Victim Fund Form for the Amounts robbed from teh Evelyn Goldberg Estate. See Exh C.

**Loren as Executor opposes Irving Picard for his failing to disclose criminal activities of Bernie Madoff known to him personally as of 2012 and his actions to cover-up the fraud of robbing Trusts and Estates, to which the majority of victims belong.**

**Sworn under penalty of perjury this 24<sup>th</sup> day of January 2018.**

A handwritten signature in black ink, appearing to read 'DL', is written over a horizontal line.

**Dean Loren , Executor  
Evelyn Goldberg Estate**

Date: January 24, 2018

To:	US Attorney Jeff Sessions	Cert	7017 2400 0000 8251 9987
	FBI Director Christopher Wray		7016 2070 0000 1654 3747
	Rep. Trey Gowdy		7016 2070 0000 1654 3754
cc:	Irving Picard, Trustee Madoff		7016 2070 0000 1654 3761
	Richard Breeden, DOJ Madoff Victims Fund		7017 2400 0000 8251 9994
	SIPC Filing		7017 2400 0000 8251 9970
re:	Madoff Ponzi Scheme Criminal Complaint of Robbing Trusts and Estates in 1993 Irving Picard/SIPC personal knowledge of criminal acts and failure to report Breeden Madoff Victims Fund		

Dear US Attorney Sessions and FBI Director Wray and Rep. Gowdy,

I, Dean Loren, herewith make a formal criminal complaint against Irving Picard and Breeden for their acts in covering up the Madoff Ponzi Scheme targeting Probate Trusts and Estates with Bernie, Peter and Emily Madoff that was known by DOJ and FBI as early as May 29,, 1993.

Picard was personally notified on July 7, 2012.

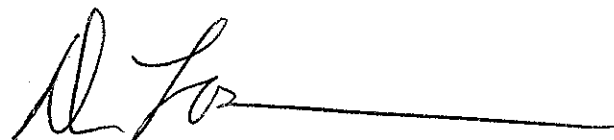
Breeden was involved since 2008 with the AUSA Lisa Barone and Frank Wohl (Barone's former boss) and the obstruction of justice and leaking of information to the Madoff Defense Team.

I would like to meet in Washington DC with the DOJ and the FBI to go over documents evidencing the Madoff Ponzi Scheme to rob Probate Trusts and Estates beginning in 1985 and exposed in 1993 by Evelyn Goldberg and Doris Sassower.

I am filing obligatory forms with the SIPC and Madoff Victims Funds, under my obligation as Executor to the Evelyn Goldberg Estate to recover stolen property.

Rep. Gowdy, if I may ask a kind favor of your office personally forwarding additional copies to the FBI and US Attorney, in order to safe guard the filing of my claims. The Evelyn Goldberg Estate would be most appreciative as her prior filings have disappeared.

Thank you. Sworn under penalty of perjury January 24, 2018

A handwritten signature in black ink, appearing to read 'D. Loren', followed by a horizontal line extending to the right.

Dean Loren, Executor

WOLF POPPER ROSS WOLF & JONES

EXHA

MEMORANDUM

TO: Emily Madoff  
FROM: John Fisher  
DATE: January 28, 1993  
RE: F/O GOLDBERG

-----  
This is the matter which is on the New York County Surrogate's Court  
Calendar for Tuesday, February 2, 1993 at 10:00 a.m.

Essentially, we represent David J. Mandelbaum who is the Executor of the  
Estate. The "opposition" is Evelyn Goldberg who is appearing pro se.

David's nomination as Executor was only confirmed last Spring by the  
Appellate Division. Mrs. Goldberg, as you can see from the correspondence in the file if  
you care to review it, is obviously extremely distraught with his appointment. She has filed  
numerous proceedings in the Surrogate's Court to have David's letters removed and for  
various other relief. It is one of a string of these proceedings which is returnable on the  
2nd.

There is an order requiring David Mandelbaum to account by February 15,  
1993. Richard Vaccariello is well on the road to completing the accounting and I expect that  
date will be met.

[ Judge Roth is very familiar with this Estate. I have spoken to her about the  
instant motion and she had informed me that she intends to deny it from the bench and she  
has done with all of the proceeding motions. ] All that we need do is appear in court on that  
date. You will probably not have to say anything. Whatever you do, do not get involved in  
a colloquy with Mrs. Goldberg.

We have filed a brief affidavit in opposition which the Judge also knows  
about.

JCF:ekj



RETURN PREPARER OFFICE

DEPARTMENT OF THE TREASURY  
INTERNAL REVENUE SERVICE  
WASHINGTON, DC 20224

*ExH B*

October 17, 2016

*9/8/17  
Tanya Faller*

Dean Loren  
P.O. Box 34  
New York, NY 10002

Dear Mr. Loren:

I am responding to your letter to Commissioner John Koskinen, dated September 26, 2016. You wrote to report misconduct by a tax return preparer.

Thank you for providing the information to us. We will review and process it using our normal procedures for complaints. You should receive an acknowledgment letter within 30 days from the above date that we received your complaint. However, due to federal privacy laws, we cannot share feedback about our actions.

If you need further assistance, please call me at (202) 317-7063.

Sincerely,

A handwritten signature in black ink, appearing to read "Kimberly D. Rogers".

Kimberly D. Rogers  
Acting Deputy Director  
Return Preparer Office

Dean Loren, Executor  
Evelyn Goldberg Estate  
PO Box 34, NY, NY 10002  
718 277 1367 deanloren@gmail.com

December 17, 2016

The Honorable John Koskinen, Commissioner  
Internal Revenue Service  
1111 Constitution Avenue, NW  
Washington, DC 20224

Cert Mail: 7016 0910 0000 0147 4976  
IRS Complaint No. 16-6519  
Retaliation Against Claimant

Surrogate Judge Rita Mella  
31 Chambers Street, Room 502,  
NY, NY 10007

Simon Goldberg Estate  
Index 3169-1985  
Cert Mail: 7016 0910 0000 0147 4969

cc:

Assistant AG Leslie Caldwell, Chief, Criminal Div Cert Mail: 7015 3010 0001 1838 6873  
US Senator Jeff Sessions, c/o Rick Dearborn Cert Mail: 7016 0910 0000 0147 4983  
US Representative John S. Fleming, M.D. Cert Mail: 7016 0910 0000 0147 4990  
John Fisher, Esq. Attorney for Simon Goldberg Estate by First Class Mail  
Dan Padernacht, Esq. Attorney for Evelyn Goldberg Estate

re: Third Complaint - Madoff Ponzi Scheme by John Fisher, Emily Madoff, Wolf Popper  
Notice to IRS - Retaliation by Simon Goldberg Estate EIN 13-6855735  
Victim: Evelyn Goldberg Estate EIN 94-680071

Dear Commissioner Koskinen and Surrogate Judge Rita Mella:

The Evelyn Goldberg Estate respectfully furnishes an update to the Internal Revenue Service Investigation 16-6519 concerning Tax Evasion and Failure to Create a Trust for the Income Beneficiary Evelyn Goldberg by John Fisher Esq., Emily Madoff and David Mandelbaum, who demand their Trustee and Legal Fees already paid to be approved for the non-existent Trust and that I sign off and agree to an Accounting that contains untrue, inaccurate and misstated entries.

I am the executor of the Evelyn Goldberg Estate and make my Third complaint and Notice re: Madoff Ponzi Scheme -Tax Evasion, False and Tax Returns by the Simon Goldberg Estate [EIN 13-6855735, Canadian CIS 418 631 495 and US SS 095 52 9608], for monies due and payable since 1985 to Simon's wife Evelyn Goldberg, now deceased as of November 2008.

Commissioner Koskinen, without prejudice to Evelyn's Estate, I submitted to Surrogate Rita Mella pursuant to her December 9, 2016 order, my Stipulation Agreement and Waiver/Release to receive \$509,023.84 from income amounts misappropriated in excess of \$1,000,000 by John Fisher's wrongful adjustments to accounting entries in 1993-1994 alone that lacked any support for those numbers or simply made them up. As a result, the financial statements were materially misstated and concluded forced adjustments that rendered the statements useless. I can not rely on the data in their accounting when making decisions as Evelyn's Executor. See Attached.

The Madoff Fraud arose when John Fisher, Emily Madoff and Wolf Popper Law firm in 1993 perpetrated on Evelyn Goldberg, then living, a sham June 16, 1993 Guardian Ad Litem created by John Fisher and Renee Roth to obtain a Secret Canadian Probate decision for Simon's Canadian Assets. Former NYS AG Robert Abrams received John Fisher's June 8, 1993 letter that created the GAL and Assitant NYS AG Lisa Barbarini confirms position of Fisher's Letter.

I requested Dan Padernacht, my attorney to notify Surrogate Mella of my Agreement and Waiver and schedule a January 20, 2017 hearing for the exchange of Evelyn's monies that were never held in trust for her Estate's Release not to sue John Fisher for never creating the trust and for his creating the sham Guardian ad Litem on Evelyn to prevent her reporting Madoff in 1993.

New York County Surrogate Rita Mella has to approve a Simon Goldberg Estate Accounting authored by Simon Goldberg Estate Attorney John Fisher and former Surrogate Renee Roth.

John Fisher asks Surrogate Mella to accept his excuses for never creating a Trust pursuant to the Will and never segregating the Evelyn's monies from the Simon Goldberg Estate and for his creating a sham Guardian ad Litem on June 8, 1993 to shield the Madoff.

Dean Loren, Evelyn's Executor asks for Evelyn Goldberg's \$509,023.84 due and payable.

Surrogate Rita Mella has Three Petitions Presently Before Her Bench:

1. Evelyn Goldberg Estate's 2015 Petition to remove David Mandelbaum as Executor of the Simon Goldberg Estate and a Formal Accounting.
2. Evelyn Goldberg's 1993 Petition for Removal of David Mandelbaum to be heard on June 16, 1993, but John Fisher created the sham June 8, 1993 Guardian ad Litem to protect Madoff.
3. John Fisher's 2015 Petition in retaliation to spend down Evelyn's \$509,023.84 funds and his personal oral demand for Surrogate Mella to get rid of me which is not on any motion or petition.

First, every story has two sides: the injured's *factual* side confirming injuries proved by evidence and injurer's *fictional* side denying injuries proved by excuses.

Second, every case is *different* and *unique* with its own facts proved by evidence and those excuses offered to win against the facts proved by evidence.

Third, excuses for tax accountings unsupported, materially misstated with forced adjustments, do not constitute a basis to rely upon when making accounting decisions based on evidence.


The Evelyn Goldberg Estate never intends nor should the IRS or Surrogate Mella construe that I have abandoned my Executor's Duty to marshal all the assets and agree to some partial payment in lieu of forgiveness and open threat by Mr. Fisher to spend all Evelyn Goldberg's owed monies.

Mr. Fisher as Attorney never opened a Trust as directly expressed in Simon Goldberg's 1985 Will and asks Surrogate Mella to award Attorney Fisher and Executor Mandelbaum - Trustee and Legal Fees for an accounting without "Under penalties of perjury, I declare that I have examined the return and accompanying schedules and statements, and to best of my knowledge and belief, they are true, correct and complete. Declaration of preparer (other than taxpayer) is based on information of which preparer has knowledge."

Surrogate Mella orders me to accept the forced accounting and I am forced to submit.

In order to receive monies due and payable to the Estate of Evelyn Goldberg in the amount \$509,023.84, I am signing a Stipulation Agreement, Waiver and Release and Discontinuance to be held in escrow pending delivery of a bank certified check. But I want to make it very clear that The Evelyn Goldberg Estate DOES NOT PARTICIPATE OR CONDONE OR HAS PROFITED from the false and misrepresentative forced Accountings, Court Filings and Actions perpetrated by David Mandelbaum, Executor of Simon Goldberg Estate, John Fisher, Esq., Wolf Popper and any acts by NY County Surrogate Accounting Department to keep these actions off the record, including but not limited to removing the hard files from the file room.

Very truly yours,

  
Dean Loren, Executor  
Evelyn Goldberg Estate



SURROGATE'S COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

Petition for a Compulsory Accounting and  
Related Relief in the Estate of

SIMON A. GOLDBERG  
Deceased

FILE NO. 3169-1985

STIPULATION AND  
AGREEMENT

*To Be Filed in Escrow  
by Galit J. J. J. J.  
Pending Hearing  
Goldberg Estate  
Delivery of Bank  
Check \$509,023.84  
Before Judge Mella*

Pursuant to Surrogate Rita Mella's Oral Order of December 9, 2016, to produce a stipulation by  
December 16, 2016, the Parties hereby agree to the following:

- (1) Petitioner and Respondent agree to attend a hearing before the Court on January 20, 2017 or as soon after the Court's calender permits for service of Citations to the parties in the Evelyn Goldberg Estate, to also hear directly following this action, the judicial settlement of the Evelyn Goldberg Estate for the purpose of closing out the Evelyn Goldberg Estate.
- (2) Petitioner and Respondent further agree at the above-referenced hearing for Respondent's (A) certified bank check in the amount of \$509,023.84 made payable to the Evelyn Goldberg Estate representing the amounts listed in Paragraph 3 and 5, below and (B) Respondent's Counterpart of a Receipt Release and Refunding Agreement that Holds Harmless and Indemnifies Petitioner from tax liabilities until Respondent receives an IRS Closing Letter and delivers it to Petitioner TO BE EXCHANGED FOR (a) Petitioner's Withdrawal of Petition for a Compulsory Accounting and related Relief, (b) Petitioner's Discontinuance of Petition (c) Petitioner's Counterpart of a Receipt Release and Refunding Agreement that Holds Harmless and Indemnifies Petitioner from tax liabilities until Respondent receives an IRS Closing Letter and delivers it to Petitioner.
- (3) Respondent states the balance due and payable of Petitioner's income interest in the estate through November 11, 2008 in the amount of Two Hundred and Fifty Thousand and Three Hundred and Forty Three Dollars and Eighty Seven Cents (\$255,343.87) on or before December 31, 2016 and the Respondent is responsible for filing an Account separately with the Court.
- (4) The Parties understand and agree that the Court Exchange will be followed by the judicial settlement decree decision by the Court concerning the Evelyn Goldberg Estate and closing out as part of Petitioner's inducement and consideration to Paragraph 2 above.
- (5) Respondent states the Petitioner is due and payable an additional sum of Two Hundred and Fifty Three Thousand and Six Hundred and Seventy Nine Dollars and Ninety Seven Cents (\$253,679.97), representing additional income earned as follows:

The amount owed on the Nuveen Account is as follows:

Income earned from 5/18/1988 (date account established per Nuveen Statement through November 11, 2008)	\$140,382.93
Income earned on above referenced income from 11/11/2008 through 12/31/2014	\$ 41,184.24
Estimated Income through 12/31/2015	\$ 7,978.13
Estimated Income through 12/31/2016	<u>\$ 8,775.95</u>
Total	\$198,321.25

Agreed upon Income earned from 11/11/2008 on Trust assets invested in Treasuries through 12/31/2016 net of estimated federal income tax (\$82,624.72 income less \$27,266.00 (estimated federal income tax))	<u>\$ 55,358.72</u>
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TOTAL ADDITIONAL INCOME OWED Estate of Evelyn Goldberg from 11/11/2008 to date	\$253,679.97
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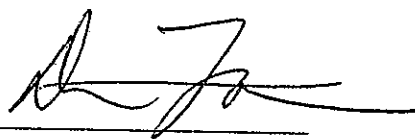
Plus Balance of Income through 11/11/2008	<u>\$255,343.87</u>
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Total owed E/O Evelyn Goldberg	<u><u>\$509,023.84</u></u>
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(6) Petitioner shall deliver to Respondent at the contemplated hearing a signed Receipt Release and Refunding Agreement acknowledging receipt of Evelyn Goldberg's income interest in the Estate of Simon Goldberg and releasing Respondent from all liability in connection with his Accounting through November 11, 2008 and the Supplemental Account and agree to refund any part of Respondent's interest subject to expenses attributed to Evelyn Goldberg's income interest and will waive and consent to any formal Accounting required in the Estate of Simon A. Goldberg.

(7) This Agreement may be signed in counterparts, and facsimile, e-mail or PDF signatures shall be deemed originals for all purposes.

Date: December 16, 2016




David Mandelbaum, Respondent  
Executor, Simon Goldberg Estate  
Trustee, Trust for the life of Evelyn Goldberg

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John C. Fisher, Esq  
Hamburger, Weinschenk and Fisher, ESQ.  
Attorneys for Respondent, David Mandelbaum

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Daniel Pandernacht, Esq.  
Attorney for Petitioner  
Dean Loren

  
Petitioner, Dean Loren, Executor  
Evelyn Goldberg Estate

12/16/16

*Held in  
Essex  
Superior Court*

*To Be held in Escrow*

*by Salit Jain, Esq.  
Pending Simon  
Goldberg Estates  
Delivery of Cash  
Check \$509,023.84  
Before Judge M. J. ...*

SURROGATE'S COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

\_\_\_\_\_  
In the Matter of the Petition of Dean Loren, Executor of the  
Estate of Evelyn Goldberg, to Compel David Mandelbaum,  
Executor of and Trustee Under the Last Will and Testament of

RECEIPT, RELEASE AND  
INDEMNIFICATION  
AGREEMENT  
File No.: 1985-3169/A

SIMON A. GOLDBERG,

Deceased,

To Account Pursuant to SCPA 2205.  
\_\_\_\_\_

WHEREAS, Simon A. Goldberg ("the decedent") died on the 24th day of May, 1985, a resident of 400 East 54th Street, New York, New York, 10022 with a Last Will and Testament dated March 21, 1985 (hereinafter referred to as the "Will"); and

WHEREAS, by Decree of the Hon. Renee R. Roth, Surrogate, issued on March 29, 1991, David L. Mandelbaum was appointed Executor of the decedent's estate and Letters Testamentary were duly issued to him; and

WHEREAS, Article FOURTH of the Will provides that the residuary estate be placed in trust for the life of the decedent's spouse, Evelyn Goldberg (hereinafter referred to as the "Trust" and David L. Mandelbaum named Trustee; and

WHEREAS, Evelyn Goldberg died on November 11, 2008 and Dean Loren was appointed Executor of her estate by the New York County Surrogate's Court on March 6, 2012; and

WHEREAS, David L. Mandelbaum, as Preliminary Executor and subsequently as permanent Executor and Trustee, has administered and to this date is administering both the estate of the decedent and Trust; and

WHEREAS, David L. Mandelbaum now desires to submit to Dean Loren as Executor, Evelyn Goldberg Estate, an Account of his acts covering the period from May 24, 1985 through December 2015 (the accounting period) for the Estate and Trust; and

WHEREAS, Dean Loren, as Executor of the estate of Evelyn Goldberg, has agreed to accept \$835,528.59 in full settlement of all claims by Evelyn's estate against Simon's estate; and \$326,504.75 of which was paid August 5, 2011 and \$509,023.84 of

which is to be paid in January 2017 or as soon as the parties can meet before Surrogate Rita Mella for the Court's acceptance of the Stipulation of Accounting, Stipulation of Discontinuance and the Informal Judicial Settlement of Accounting by Decree and Closing of the Evelyn Goldberg Estate ;

WHEREAS, the undersigned have examined the Account for the accounting period and David L. Mandelbaum attests that the same is in all respects true and correct and that nothing has been omitted from said accounting or misrepresented; and

WHEREAS, additional funds in the amount of \$267,822.24 has been received by Simon Goldberg Estate from Nuveen Investments and deposited into the estate account without allocation to principal and income and without regard to income and/or estate tax-implications; and

WHEREAS, the parties agree that the \$509,023.84 amount stated herein includes that portion of the Nuveen Securities Account which belongs to the Estate of Evelyn Goldberg; and

WHEREAS, the undersigned are desirous of avoiding the expense of a judicial settlement of the Simon Goldberg Estate and the legal proceedings incident thereto and has requested the Dean Loren, Executor to refrain from taking such legal proceedings, and Dean Loren, Executor has consented to refrain from taking such legal proceedings, unless he should at any time deem it advisable in his opinion to account to any person or persons other than the undersigned, upon the condition that an instrument in the form hereof be duly executed and delivered to him by the undersigned; and

NOW, THEREFORE, in consideration of the premises, the undersigned do hereby covenant and agree, as follows:

FIRST: The undersigned Dean Loren, Executor accepts said monies of \$509,023.84 in the form of a bank certified check made payable to the Evelyn Goldberg Estate by Executor and Trustee David L. Mandelbaum, in consideration for Dean Loren, Executor expressly waiving any right to enforce a formal judicial settlement of the Executor's account, it being the intention of the undersigns that this instrument and the release herein contained shall be fully as binding upon the undersigns.

SECOND: The undersigned hereby mutually release and discharge David L. Mandelbaum individually, as Trustee of the Trust and as Executor of the Estate of Simon A. Goldberg and Dean Loren individually and as Executor of the Estate of Evelyn Goldberg, of

and from any and all claims and demands whatsoever, whether at law or in equity, which against David L. Mandelbaum and or Dean Loren, his successors and assigns, agents, the undersigned ever had, including but not limited to Court Employees, now have or hereafter can, shall or may have by reason any act or omission recited or set forth herein or reasonably inferred from anything herein or therein contained.

THIRD: The undersigned hereby agree that at any time any claim, demand, loss or defense should be asserted against or incurred by the Executor of Simon Abraham Goldberg Estate or Trustee of the Trust arising out of or connected with the administration of the Estate of Simon Abraham Goldberg or the Trust, including, without limitation, any claim for taxes penalties or interest thereon, to refund and repay to the Executor, on demand, such amount or amounts (not exceeding the aggregate amount the undersigned have or shall receive from the estate), shall be borne in the entirety by the Estate of Simon Abraham Goldberg.

FOURTH: The undersigned hereby agrees that the Executors and Trustee may at any time record or file this Agreement in accordance with the provisions of any statute; law or rule of court of the State of New York or of any other State.


FIFTH: The undersigned Executors hereby represent that they have not assigned, alienated, transferred or in any way encumbered his right, title and interest in and to the estate or Trust property, and further agree that, to the extent of the value of the property received hereunder; Dean Loren, Executor of Evelyn Goldberg Estate will hold David Mandelbaum, Executor and Trustee, harmless and David I. Mandelbaum Executor of Simon A. Goldberg Estate and Trustee of the Trust will hold Dean Loren harmless from any and all loss, costs, damages and claims of whatever kind or nature that they may suffer by reason of having transferred to the undersigned the agreed upon amounts stated above in Paragraph FIRST which is hereby acknowledged, excluding assets discovered and not previously accounted for in the informal accountings from May 25, 1985 to December 9, 2015.

SIXTH: David Mandelbaum, Executor of the Simon Goldberg Estate and Trustee of the Trust, agrees to fully hold harmless and thus also indemnify Dean Loren, Executor of the Estate of Evelyn Goldberg, to the period the IRS issues a formal Closing Letter to the Simon Goldberg Estate and Trust, David Mandelbaum, Executor of the Simon Goldberg Estate and Trustee of the Trust and attests that all returns of the Simon Goldberg Estate and Trust are timely filed both in Canada, New York, US and other international territories such

as Israel that may require filing. David Mandelbaum further attests to the disclosure 1) there are no Extensions to file any returns, 2) all taxes have been paid, 3) the tax returns are correct and complete in all material respects of the IRS and NY State and Canada, 4) audits completed through a specific year, 5) no tax issues remain unresolved.

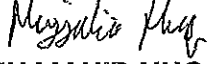
SEVENTH: This instrument shall be binding upon the heirs, successors and assigns of the undersigned and may be signed *in* counterparts.

IN WITNESS WHEREOF, the undersign have executed this instrument this  
16th day of December 2016.

  
\_\_\_\_\_  
Dean Loren

STATE OF NEW YORK ) SS:  
COUNTY OF ~~NEW YORK~~ )  
*Kings* 1.

On December 16, 2016 before me personally came Dean Loren, to me known, and known to me to be the individual described in, and who executed the foregoing RECEIPT. RELEASE AND INDEMNIFICATION AGREEMENT and duly acknowledged to me that he executed the same.

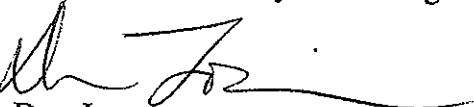
Notary Public  12/16/16

**MUJAHID HUQ**

NOTARY PUBLIC-STATE OF NEW YORK  
NO. 01HU6165307

2. QUALIFIED IN SUFFOLK COUNTY  
MY COMMISSION EXPIRES 05/07/17

STATE OF NEW YORK ) SS:  
COUNTY OF )

  
\_\_\_\_\_  
Dean Loren  
Executor of Estate of Evelyn Goldberg

On December , 2016 before me personally came David I. Mandelbalm, to me known, and known to me to be the individual described in, and who executed the foregoing RECEIPT. RELEASE AND INDEMNIFICATION AGREEMENT and duly acknowledged to me that he executed the same.

Notary Public

David I. Mandelbaum  
Executor of Estate of Simon Goldberg  
Trustee of the trust for the life of Evelyn Goldberg

SURROGATE'S COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

Petition for a Compulsory Accounting and  
Related Relief in the Estate of

SIMON A. GOLDBERG  
Deceased

FILE NO. 3169-1985/A

STIPULATION AND AGREEMENT  
TO WITHDRAWAL OF PETITION  
AND DISCONTINUANCE OF  
PETITION FOR COMPULSORY  
ACCOUNTING

*To Be Held in Escrow  
By Talit Jain, Esq.  
Pending Simon Goldberg  
Estate Settlement of  
\$509,023.84 Bank  
Check Bep. Judy Moller.*

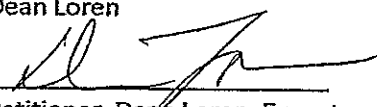
IT IS HEREBY STIPULATED AND AGREED TO by and between the undersigned who,  
collectively, constitute the attorneys of record for all parties, and the petitioner and the  
respondent, that in consideration of scheduling the Final Judicial Settlement of Accounting for the  
Evelyn Goldberg Estate to follow the hearing of the instant action, the tender of the amount of  
\$509,023.84 by Respondent to Petitioner, and the exchange between parties of a signed RECEIPT,  
RELEASE AND INDEMNIFICATION AGREEMENT, the above proceeding be and the same is hereby  
discontinued, with prejudice, and without costs to any party hereto.

Date: December , 2016

David Mandelbaum, Respondent  
Executor, Simon Goldberg Estate  
Trustee, Trust for the life of Evelyn Goldberg

John C. Fisher, Esq  
Hamburger, Weinschenk and Fisher, ESQ.  
Attorneys for Respondent, David Mandelbaum

Daniel Pandernacht, Esq.  
Attorney for Petitioner  
Dean Loren

  
Petitioner, Dean Loren, Executor  
Evelyn Goldberg Estate



Date: December 16 2016

To: Surrogate Judge Rita Mella c/o Shalini Deo

From: Dean Loren, Executor by Dan Padernacht and Kathleen McCormack

re: Escrow Held Stipulation Ageement, Receipt and Waiver and Withdrawal  
to be delivered before Judge Mella in exchange for bank check

Dear Ms. Deo:

I am asking Dan Padernacht and Kathleen McCormack to each separately forward to your attention and John Fisher my escrow held signed agreements by Lalit Jain to be delivered to Judge Mella pursuant to her oral orders on December 9, 2016 at a hearing to be scheduled hopefully on January 20, 2016 or shortly thereafter.

I look forward to closing out both estate matters.

Happy Holidays.

A handwritten signature in black ink, appearing to be 'DL', followed by a long horizontal line extending to the right.

Dean Loren, Executor  
Evelyn Goldberg Estate

EXAC

**CUSTOMER CLAIM FORM**  
**LEGEND SECURITIES, INC.** *BERNARD L. MADOFF*  
**DIRECT PAYMENT PROCEDURE** *INVESTMENT SECURITIES*  
*LLC*

Claim Number _____
Date Received _____ (for SIPC use only)

*ACCOUNT STOLEN* Last Five Digits of Account No.: 9608  
*SIMON GOLDBERG TAXPAYER ID*

Provide your office and home telephone numbers and email address:

OFFICE: 718 277 1367

HOME: 718 277 1367

E-MAIL: jeanloren@gmail.com

*BENEFICIARY* Last Four Digits of Taxpayer I.D. Number  
(Social Security No.)

1222 0711  
*ENV Evelyn Goldberg Taxpayer ID*

(If incorrect, please change)

**PLEASE NOTE**

- A SEPARATE CLAIM FORM MUST BE FILED FOR EACH ACCOUNT.
- TO RECEIVE THE FULL PROTECTION AFFORDED UNDER THE SECURITIES INVESTOR PROTECTION ACT, YOUR CUSTOMER CLAIM MUST BE RECEIVED BY THE SECURITIES INVESTOR PROTECTION CORPORATION ("SIPC") ON OR BEFORE APRIL 20, 2018.
- ABSOLUTELY NO CLAIM WILL BE ALLOWED IF IT IS RECEIVED AFTER APRIL 20, 2018.
- ALL CLAIMS ARE DATED AS OF THE DATE RECEIVED BY SIPC.
- PLEASE SEND YOUR CLAIM TO SIPC BY CERTIFIED MAIL - RETURN RECEIPT REQUESTED or with a comparable method of mailing which provides you with proof of receipt by SIPC. Proof of the timely receipt of a statement of claim by SIPC is the sole responsibility of the claimant.
- IF YOU BELIEVE YOU HAVE A CLAIM FOR PROPERTY OWED TO YOU BY THE BROKER, YOU MUST FILE A CLAIM TO PROTECT YOUR RIGHTS.

This customer claim form must be completed and promptly submitted, together with supporting documentation, to:

Securities Investor Protection Corporation  
Direct Payment Procedure  
Legend Securities, Inc.  
1667 K Street, N.W., Suite 1000  
Washington, DC 20006

1. CLAIM FOR MONEY BALANCES AS OF OCTOBER 20, 2017:

- a. The Broker owes me a Credit (Cr.) Balance of  
b. I owe the Broker a Debit (Dr.) Balance of

\$ 1,546,395.44  
\$ 0

2. CLAIM FOR SECURITIES AS OF OCTOBER 20, 2017:

Please do not claim any securities you have in your possession or are in an account for you at another broker.

- a. The Broker owes me securities  
b. I owe the Broker securities  
c. If yes to either, please list below:

YES	NO
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>

Date of Transaction (trade date)	Name of Security	Number of Shares or Face Amount of Bonds	
		Broker Owes Me (Long)	I Owe Broker (Short)
12/31/2014	CHASE PORTFOLIO 731-06525	446,825	0
06/17/2015	NUVEEN FUNDS* 1012154	145,645.97	
	* FUNDS Created in Simon Goldberg's PERSONAL NAME TWO YEARS AFTER HIS DEATH AND MYSTERIOUSLY APPEARED NOVEMBER 2015		

WHEN COMPLETING THE ABOVE PLEASE KEEP IN MIND:

- If you cannot compute the amount of your claim, you may file an estimated claim. In that case, please indicate that your claim is an estimated claim.
- Proper documentation can speed the review, allowance and satisfaction of your claim.
- Please enclose, if possible: copies of your last account statement; purchase or sale confirmations; copies of checks which relate to the securities or cash you claim; and any other documentation, such as correspondence, which you believe will be of assistance in processing your claim.
- Please explain any differences between the securities or cash claimed and the cash balance and securities positions on your last account statement.
- If, at any time, you complained in writing about the handling of your account to any person or entity or regulatory authority, and the complaint relates to the cash and/or securities that you are now seeking, please be sure to provide with your claim copies of the complaint and all related correspondence, as well as copies of any replies that you received.

**PLEASE CHECK THE APPROPRIATE ANSWER FOR ITEMS 3 THROUGH 9.**

**NOTE: IF "YES" IS MARKED ON ANY ITEM, PROVIDE A DETAILED EXPLANATION ON A SIGNED ATTACHMENT. IF SUFFICIENT DETAILS ARE NOT PROVIDED, THIS CLAIM FORM WILL BE RETURNED FOR YOUR COMPLETION.**


	<u>YES</u>	<u>NO</u>
3. Has there been any change in your account since October 20, 2017? If so, please explain. <u>Do NOT know</u>	<input type="checkbox"/>	<input type="checkbox"/>
4. Are you or were you a director, officer, partner, shareholder, lender to or capital contributor of the Broker?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Are or were you a person who, directly or indirectly and through agreement or otherwise, exercised or had the power to exercise a controlling influence over the management or policies of the Broker?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Are you related to, or do you have any business venture with, any of the persons specified in "4" above, or any employee or other person associated in any way with the Broker? If so, give name(s).	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Is this claim being filed by or on behalf of a broker or dealer or a bank? If so, provide documentation with respect to each public customer on whose behalf you are claiming.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. Have you ever given any discretionary authority to any person to execute securities transactions with or through the Broker on your behalf? Give names, addresses and phone numbers.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. Have you or any member of your family ever filed a claim under the Securities Investor Protection Act of 1970? If so, give the name of that broker.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Please list the full name and address of anyone assisting you in the preparation of this claim form: \_\_\_\_\_

None

**IT IS A VIOLATION OF FEDERAL LAW TO FILE A FRAUDULENT CLAIM. CONVICTION CAN RESULT IN A FINE OF NOT MORE THAN \$250,000 OR IMPRISONMENT FOR NOT MORE THAN FIVE YEARS OR BOTH.**

**THE FOREGOING CLAIM IS TRUE AND ACCURATE TO THE BEST OF MY INFORMATION AND BELIEF.**

Date 01/24/18 Signature   
*EXCULTON Evelyn Goldberg*  
*ESTATE*

Date \_\_\_\_\_ Signature \_\_\_\_\_

(If ownership of the account is shared, all must sign above. Give each owner's name, address, phone number, and extent of ownership on a signed separate sheet. If other than a personal account, e.g., corporate, trustee, custodian, etc., also state your capacity and authority. Please supply the trust agreement or other proof of authority.)

**PETITION FORM IND**  
**Submitted by Indirect Investors**

*Please type or print all answers using blue or black ink. Please print carefully and legibly – if we cannot read your information your claim may be rejected.*

**I Claimant Information**

**Primary Claimant**

Claimant's (Investor's) Name EVELYN GOLDBERG ESTATE

Claimant's Email Address deanloren@gmail.com

If you filed a claim in the bankruptcy proceeding, please enter your claim ID here:

Filing Concurrently  
with SIPC  
See attached.

*(The name and email address of the claimant whose funds were lost must be provided,  
even for investments otherwise held in the name of a nominee.)*

U.S. Tax ID: 94-680071

☐ SSN

☒ EIN

Evelyn Goldberg  
Estate

Foreign ID and Country: (if applicable) NA

Street Address P.O. Box 34

City, State/Province, Postal Code NY NY 10002

Country United States

Daytime Phone 718 277 1367 Alternate/Cell Phone \_\_\_\_\_

Alternate Contact (if any) same as above 718 277 1367

**Joint Claimant (if any)**

Joint Claimant's Name NA

Joint Claimant's Email Address \_\_\_\_\_

U.S. Tax ID: \_\_\_\_\_

☐ SSN

☐ EIN

Foreign ID and Country: (if applicable) \_\_\_\_\_

Joint Claimant's Street Address \_\_\_\_\_

Daytime Phone \_\_\_\_\_

Alternate/Cell Phone \_\_\_\_\_

**II Information on the Account(s) Through Which You Invested**  
**[Your bank or other firm where you kept your account]**

This Section calls for information about where the account through which you purchased an investment was located. This will generally be your bank or another type of financial firm where you first purchased an investment security that ultimately, through one or more steps, found its way into Madoff Securities. For this section we want to know where you first placed your investment, not all the subsequent steps.

If you placed your investments through more than one bank or other intermediary, please add supplemental sheets and list all such firms and related account numbers.

Name of Firm and branch (if relevant): Wolf Popper Law Firm, NYC office  
Emily Madoff

Street Address, City, State/Province, Country, Postal Code where your account was located: 845 845 3<sup>rd</sup> Ave #12 NY NY 10022

Exact Name on your Account: (Enter the name which appears on your account statements)  
Simon Goldberg Probate File 3169/85

Your Account Number: (If relevant, it should match your backup documents)  
Simon Goldberg Lifetime Income Trust for the Benefit of Evelyn Goldberg

Name of Contact Person at Financial Institution: (Person Familiar With Your Account, if known)  
Emily Madoff and Lester Levy Jr.

Institution or Contact Person Daytime Phone: 212 759 4650

Institution or Contact Person Email Address: emadoff@wolfpopper.com

**IF YOU DID NOT USE A BANK OR FINANCIAL INSTITUTION FOR YOUR PURCHASE OF A MADOFF-RELATED SECURITY OR INVESTMENT, TELL US THE FIRST LOCATION WHERE YOU SENT YOUR FUNDS.**

For example, if you mailed or wired funds directly to a feeder fund, investment partnership, mutual fund, family partnership or other entity of this kind, please give us the information requested above with respect to that entity and identify the entity as completely as possible.

David Madelbaum seized the Simon Goldberg Estate Funds using a fraudulent Death Certificate in the Manhattan Surrogate Court. Emily Madoff followed with complete control with Bernie and Peter, and Lester Levy Sr.

**III Investment Products Purchased**  
[What exactly did you invest in?]

Please list ALL your investments that directly or indirectly resulted in an investment in Madoff Securities.

Name of Security(s) or Other Product(s) you purchased, or were purchased on your behalf:

*For example, did you buy shares in a traded feeder fund, or buy units in an investment fund of some type?  
Please tell us what instrument(s) you purchased or invested in, and who you bought it from.*

List below each separate investment product you purchased relating to Madoff Securities:

US TREASURY NOTES

NUVEEN FUND CREATED AFTER SIMON'S DEATH  
NOTES  
David Mandelbaum of Simon Goldberg

Estate refused to give income beneficiary a true, correct  
and complete accounting.

If not already identified, where were these products held in custody during your ownership?

- CHASE SEE Cover Document
- NUVEEN SEE Cover Document
- EMILY'S LIST - for LAUNDERED FUNDS used as  
campaign attorney kickbacks to elected officials
- INVESTED IN PRIVATELY HELD REAL PROPERTIES SUCH AS  
500 PEARL STREET, NY NY

Ultimately, we need to understand the path your investment took in flowing to Madoff Securities.

If you are uncertain, or if the form does not exactly match your situation, please list as many steps  
as you know concerning your Madoff investments and we will review it.

If you provide information in the wrong sections, it will not invalidate your claim.

For any question, please attach however many supplemental sheets you need to explain your  
situation.

PROBATE JUDGE RENEE ROTH WORKED WITH BERNIE, PETER,  
AND EMILY MADOFF TO ROB ESTATES AND TRUSTS  
UNDER THE CONTROL OF FEEDER ATTORNEYS.



#### Account Documentation

Please provide documentation detailing the investment you made, and the feeder fund or other entity in which you invested. Please provide a copy of any key documents describing your investment, such as a partnership agreement, offering memorandum, account agreement or sale confirmations.

We need to see documentation showing the date and the amount of each purchase of a Madoff-related investment, each deposit in an account that was transferred in whole or in part to Madoff Securities, and each withdrawal from any such investment or account. Please also provide a copy of the last statement you received before or at the time Madoff Securities collapsed, which includes your Madoff-related investment.

Documentary proof of transactional information can include statements you received from the pooled investment vehicle and/or custodial bank, trade confirmations, wire transfer confirmations, cancelled checks, receipts, letters from fund administrators or investment advisors (signed and on company letterhead), etc. To evaluate your claim MVF has to be able to trace the flow of your investments in and out of the pooled investment vehicle, and ultimately in and out of Madoff Securities.

***Please submit copies and keep the originals.***

#### IV Transactions

Please complete the transaction table below, including every deposit (or purchase of shares) and withdrawal (or sale of shares) in any intermediary pooled investment vehicle that ultimately resulted in your funds being invested in Madoff Securities. Please enter the full amount of each transaction.

For funds that held investments in addition to those related to Madoff, please give us the percentage that was allocated to Madoff Securities if you have that information.

If you need additional space, please make copies of the table or download additional pages from our website.

***Your net loss on Madoff-related investments must be computed on a "cash-in, cash-out" basis, disregarding any falsely reported profits (which never existed). For some funds, constantly shifting NAVs or portfolio allocations will complicate tracing the net cash investment in Madoff-related products. However, MVF cannot pay compensation on any basis other than the net cash investment in Madoff Securities that was lost as a direct result of the fraud. Please give us as much information as you have that will show your personal cash deposits and withdrawals, and their allocation if less than 100% of the fund's portfolio consisted of interests in Madoff Securities.***

## INDIRECT INVESTOR TRANSACTION TABLE

**ADD AS MANY EXTRA SHEETS AS YOU NEED, OR ATTACH A COMPLETE PRINTOUT OF YOUR TRANSACTIONS**

Date of Transaction	Transaction Type (Deposit/Withdrawal/ Purchase/Sale)	Transaction Description or Note (if applicable)	Madoff Securities Allocation % (Leave blank if not known)	Amount (USD or Local Currency)
1989	WITHDRAWAL	WOOD GUNDY		800,000.00
1995	PAYMENT	Judith Siegalbaum ATTORNEY GAL PAYMENT		49,950.00
1995	PAYMENT	Karin J. Barkhorn Attorney Spec Master Payment		15,250.00
2008	PAYMENT	JOHN FISHER LEGAL FEES		94,337.00
1998	PAYMENT	Mandelbaum Trust Commission	Trust Never Created	5,695.24
2002	PAYMENT	Mandelbaum Trust Commission	Trust Never Created	2,551.14
2011	Statement	CHASE PORTFOLIO		446,825.00
1987	STATEMENT	NUVEEN FUND	* Created by Simon after death	145,645.97
1993-5	PAYMENT	Emily MADOFF Wdr Popper Legal Fees		76,141.59
	* Nuveen Fund created in Simons Personal Name AFTER HE DIED AND MYSTERIOUSLY APPEARED IN NOVEMBER 2015			

Total Deposits (Cash In): 1,546,395.44

**Total Withdrawals (Cash Out):**

**The amount of my Net Investment Loss is:**

1,546,395.44

*(If you made a separate investment in another pooled investment vehicle account, please make a copy of the transaction tables and fill in the necessary information regarding that investment.)*

***This is not a determination of the eligible amount of your claim.***

***It is merely a listing of the cash transactions relating to your indirect investment with Madoff Securities.***

## V Secondary Pooled Investment Vehicles

If any of your investments detailed in the table above flowed through more than one intermediary entity before it was invested in a Madoff Securities account, please identify each such intermediary of which you are aware. For example, if you invested in Fund A and it in turn invested in Fund B, which invested in Fund C, then give us as much information as you have on where your funds went in each subsequent step after the first account (already listed in section II).

NO INFO AVAILABLE - Emily Madoff, David  
Madelbaum, JOHN FISHER, and LESTER LEVY Jr.  
HAVE ALL THE RECORDS.

## VI Tax-Deferred Accounts (For U.S. investors only)

If an investment in Madoff Securities was made through an individual tax-deferred account, such as a 401(k), 403(b) or IRA account, please provide the name, phone number and account number for the institution in which the investor's tax-deferred account is currently held.

Financial Institution NO INFO AVAILABLE

Account Number \_\_\_\_\_

## VII Other Madoff Investments

Did you at any time have any investments in Madoff Securities that are not shown on this Form?

This question requires you to disclose investments made directly in a Madoff Securities account and any additional indirect investments that ended up in a Madoff Securities account.

PROBABLY LOTS OF REAL ESTATE HOLDINGS.

- ☐ No NO INFO AVAILABLE. NEVER GIVEN THE COMPLETE  
☐ Yes ACCURATE ACCOUNTING.

If Yes, all investments, whether or not they resulted in a net loss, must be fully disclosed. You may make copies of blank pages of this Form to report the investments and attach the pages to the Form, or submit a separate claim form for each investment.

## VIII Recoveries

Please report any recoveries you have received for the losses you incurred as a result of your investment in Madoff Securities (e.g., distributions from the pooled vehicle in which you invested, litigation recoveries, insurance recoveries, or recoveries from any other source). Please include documentation to support any recovery you have received. Below are income payments calculated by Kathleen McCormack, Cullen + Dykeman and received.

Amount	Date	Source
THESE AMOUNTS ARE OUTSIDE OF AMOUNTS STOLEN		
326,470.75	6/27/11	ESTATE OF SIMON GOLDBERG (FIRST CHECK BOUNCED)
509,234.84	11/1/17	JOHN FISHER IOLA ACCOUNT
These monies were supposed to be deposited in Court Accounts But never were.		

If it is reasonably certain that you will receive future recoveries from a specific source, such as a litigation settlement now in escrow, please provide us information on any such likely future recovery. You do not need to list all pending lawsuits or other legal actions if you have not been advised of any settlement or recovery.

NO - US ATTORNEY OF SDNY AND MANHATTAN  
DISTRICT ATTORNEY AND NY STATE ATTORNEY GENERAL  
AND MANHATTAN SURROGATE JUDGE REFUSE TO HOLD  
EMILY MADOFF, BERNIE AND PETER RESPONSIBLE  
FOR ROBBING TRUSTS AND ESTATES AS FAR AS  
1993 WHEN FIRST REPORTED BY EVELYN GOLDBERG.

## IX Disclosure of Fees, Commissions or Other Financial Compensation You Received

Did you receive any fees, commissions or any financial compensation of any nature from any source for causing any investments in Madoff Securities?

No



Yes



If yes, you are required to complete Form A, which is available on our website.

## **X Certification and Release**

**A. CERTIFICATION.** The undersigned represents and certifies under penalty of perjury that:

- 1.** All personal and transactional information and all disclosures regarding any recovery for the loss resulting from the Madoff fraud, are complete and accurate to the best of the undersigned's knowledge. Information regarding all accounts, whether showing a net investment or net withdrawals, has been provided.
- 2.** All accompanying documents in support of this Petition and documents submitted to the Madoff Securities bankruptcy trustee in support of the bankruptcy claim are true, correct and complete to the best of the undersigned's knowledge.
- 3.** He/she/it is not and/or has not been any of the following.
  - a.** A person who knowingly participated in, benefitted from or acted in a willfully blind manner relating to the fraud, and has not earned fees, commissions or other payments from handling or directing investments in Madoff Securities, except as disclosed in Form A (available on our website).
  - b.** A person who was an officer, director or employee of Madoff Securities at any time during the Madoff fraud through and including December 11, 2008.
  - c.** A member of the Madoff family.
  - d.** A person who forfeited cash or property to the DOJ in connection with the Madoff fraud.
  - e.** A defendant in any state or federal criminal action relating to the Madoff fraud.
  - f.** A person who is otherwise prohibited from receiving payments in the United States, including all prohibited persons under regulations of the Office of Foreign Assets Control (see [www.treasury.gov/about/organizational-structure/offices/Pages/Office-of-Foreign-Assets-Control.aspx](http://www.treasury.gov/about/organizational-structure/offices/Pages/Office-of-Foreign-Assets-Control.aspx)).
  - g.** An affiliate, assign, heir, distributee, parent, spouse, child, or other relative of any of the foregoing, or an entity controlled by, or under common control of, any of such persons.

**B.** He/she/it consents to the use by the U.S. Department of Justice, the MVF and its staff, and any of the Department's agents of any of the information provided herein for any purpose relating to this claims and remission process, including verifying the Petition or the identity of the Petitioner. This information includes, but is not limited to, the Social Security Number (or taxpayer identification number or similar foreign identifying information), address, telephone number and brokerage account information of the persons involved in any claim.

**C. RELEASE.** Each Petitioner hereby recognizes that the distribution of funds that make up the Madoff Victim Fund is not required by law, but that any distribution made shall be in the sole discretion of the Attorney General. Petitioner, whether ultimately determined eligible or ineligible to receive a remission payment from the Madoff Victim Fund, hereby releases and fully discharges, and consents and agrees that it shall make no claim of any kind or nature whatsoever against any person in connection with the administration and distribution of the Madoff Victim Fund, including the U.S. Department of Justice, U.S. Attorney's Office, Special Master and their respective employees and agents.

Each of the undersigned declares under penalty of perjury under the laws of the United States of America (and the applicable laws of any other jurisdiction) on information and belief that the information contained herein, the statements made and the answers given in this Petition are true and correct and that any documents submitted herewith are true and genuine.

Executed on this the 24<sup>th</sup> day of JANUARY, 2018 in  
(Month) (Year)  
NEW YORK CITY NY UNITED STATES  
(City, State/Country)

Individuals
_____ Signature of Petitioner
_____ Type or print name of Petitioner
_____ Signature of Joint Petitioner (if any)
_____ Type/print name of Joint Petitioner (if any)
_____ Capacity of persons signing above (i.e., Underlying Investor, Executor, POA, etc.)

Corporations, Partnerships, Other Entities
<u>DEAN LOREN</u> Authorized Signature <u>EVERLYN GOLDBERG ESTATE</u>
<u>DEAN LOREN</u> Type/print name <u>ESTATE</u>
<u>EXECUTOR</u> Title
<u>EVERLYN GOLDBERG ESTATE</u> Name of Entity
<u>EXECUTOR LETTERS LETTER TESTAMENTARY</u> Capacity of persons signing above (i.e., President, Managing Partner, Trustee, etc.)